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DATE MAILED: 06/09/2006

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,630	01/18/2001	James H. Goethel	L-F / 180DV	8472
26875 7	590 06/09/2006		EXAMINER	
WOOD, HER 2700 CAREW	RON & EVANS, LL	P	WITCZAK, CATHERINE	
441 VINE STREET			ART UNIT	PAPER NUMBER
CINCINNATI,	OH 45202		3767	-

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)				
	09/764,630	GOETHEL ET AL.				
Office Action Summary	Examiner	Art Unit				
	Catherine N. Witczak	3767				
The MAILING DATE of this communication appeariod for Reply	pears on the cover sheet with the c	orrespondence address -	•			
A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING D  - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period  - Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailin earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 136(a). In no event, however, may a reply be timwill apply and will expire SIX (6) MONTHS from e, cause the application to become ABANDONE	N. nely filed the mailing date of this communica D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 31 h	<u>1ay 2006</u> .					
2a) This action is <b>FINAL</b> . 2b) ⊠ This	s action is non-final.					
	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under l	Ex parte Quayle, 1935 C.D. 11, 45	53 O.G. 213.				
Disposition of Claims						
4) ⊠ Claim(s) 1,3-6 and 8-22 is/are pending in the a 4a) Of the above claim(s) 8-13,16-20 and 22 is 5) □ Claim(s) is/are allowed. 6) ⊠ Claim(s) 1, 3-6, 14, 15 and 21 is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/o	s/are withdrawn from consideration	n.				
Application Papers						
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accomposed and applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Examine 11.	cepted or b) objected to by the l drawing(s) be held in abeyance. Sec tion is required if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 CFR 1.12				
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:  1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Bureat * See the attached detailed Office action for a list	ts have been received. ts have been received in Applicationity documents have been receive tu (PCT Rule 17.2(a)).	on No ed in this National Stage				
Attachment(s)	4) 🔲 Interview Summary	(PTO-413)				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail D	ate				
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	5) Notice of Informal F 6) Other:	Patent Application (PTO-152)				

Part of Paper No./Mail Date 20060531

#### **DETAILED ACTION**

### Election/Restrictions

Applicant's election of claims 1, 3-6, 14, 15 and 21 in the reply filed on 4/5/2006 is acknowledged.

## Claim Objections

Claim 14 is objected to because of the following informalities: It is dependent on a non-elected claim. Appropriate correction is required.

## Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-6, 14, 15 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Niehoff (US 5,662,612).

Claims 1, 3, 14, 15 and 21: Niehoff discloses in Figure 1a a syringe comprising a barrel (10) comprising a conical front wall and a discharge tip; a plunger (12) having a forwardly facing surface of a slope conforming to e the conical front wall; and a knurled extension member (14) not extending outside the barrel in at least one position adapted to be enveloped by a coupling mechanism (18) (column 1, lines 62-65), wherein the knurls are oriented transversely to and about a longitudinal axis and the extension is free of aperture extending therethrough.

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Claims 4, 5, and 6: Niehoff discloses in Figures 1a and 2B the syringe comprising a radially outwardly

extending annular flange to facilitate with an injector mating section.

Response to Arguments

1. The declaration under 37 CFR 1.132 filed 10/25/2005 is insufficient to overcome the rejection of

claims 1, 3-6, 14, 15, and 21 based upon the declaration being considered but being moor in view of the

new ground(s) of rejection.

Applicant's arguments with respect to claims 1, 3-6, 14, 15 and 21 have been considered but are 2.

moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Catherine N. Witczak whose telephone number is (571) 272-7179. The examiner can

normally be reached on Monday through Friday, 8-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin

Sirmons can be reached on (571) 272-4965. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application

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Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR

CANADA) or 571-272-1000.

cw

WMM 5/31/06

KEVIN C. SIRMONS SUPERVISORY PATENT EXAMINER

Marin C. Sermois